

**IT IS SO ORDERED.**

**Dated: 02:28 PM December 07 2007**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION AT AKRON**

<b>IN RE:</b>	)	<b>CASE NO. 05-59305</b>
	)	
<b>DAVID N. DOLTON</b>	)	<b>IN PROCEEDINGS UNDER CHAPTER 7</b>
	)	
<b>Debtor</b>	)	<b>JUDGE MARILYN SHEA-STONUM</b>
	)	
	)	<b>ORDER AUTHORIZING COMPROMISE</b>
	)	<b>OF CONTROVERSY</b>

This cause came on for consideration and it appearing to the court that the parties have resolved the differences heretofore existing between them; that notice was given to all creditors, the U.S. Trustee, the debtor, and all parties in interest of the trustee's motion and the terms of the proposed compromise; that no objection or request for hearing upon same has been received within the time period set forth in the notice; and that acceptance of the proposal of compromise submitted by David N. Dolton and Tracey Rechtorik, modified as to the monetary obligation imposed upon Tracey Rechtorik in light of her own Chapter 7 bankruptcy filing, is in the best interests of the estate and its creditors, it is therefore

ORDERED, ADJUDGED, and DECREED that Harold A. Corzin, trustee, be and he hereby is authorized and empowered to accept a deed from Tracey Rechtorik conveying the real property described in Exhibit A attached hereto to David N. Dolton so that said property will be titled in the name of the debtor of this estate and the sum of \$10,000 paid by David N. Dolton, and payable at

the rate of \$50 per month commencing with the month of May 2007 and continuing each and every month thereafter provided however that such obligation shall be paid in full on or before the 1<sup>st</sup> day of April 2008, and it is further

ORDERED that, upon the transfer of the real estate as set forth above, Harold A. Corzin, Trustee, be and he hereby is authorized and empowered to cause a dismissal of the adversary proceeding entitled "Harold A. Corzin, Trustee, Plaintiff vs. Dolton" bearing adversary #06-05101, to be filed, and it is further

ORDERED that David N. Dolton pay to the estate the sum of \$10,000 at the rate of \$50 per month, commencing with the month of May 2007 and payable in full on or before the first day of April 2008.

# # #

Submitted by:

GIBSON & LOWRY

/s/ Michael J. Moran

Michael J. Moran (#0018869)

Attorney for Trustee

234 Portage Trail

P.O. Box 535

Cuyahoga Falls, OH 44222

(330) 929-0507

(330) 929-6605 - Fax

[moranecf@yahoo.com](mailto:moranecf@yahoo.com)

Parties to be served:

Harold Corzin, Trustee  
(Electronically)

Wesley Alton Johnson  
112 ½ Main St.  
Wadsworth, OH 44281  
(Regular U.S. Mail)

BFG Federal Credit Union  
Attn: Bankruptcy  
445 S. Main Street  
Akron, OH 44311  
(Regular U.S. Mail)

Carol King  
204 Tuscarawas Ave.  
Barberton, OH 44203  
(Regular U.S. Mail)

Carolyn King  
c/o Office  
15091 Portage St.  
Doylestown, OH 44230  
(Regular U.S. Mail)

Citi Cards  
Attn: Bankruptcy  
P.O. Box 20487  
Kansas City, MO 64195  
(Regular U.S. Mail)

Citi Cards  
Attn: Bankruptcy  
P.O. Box 6500  
Sioux Falls, SD 57117  
(Regular U.S. Mail)

Shirley Dolton  
12308 Rogue's Hollow Rd.  
Doylestown, OH 44230  
(Regular U.S. Mail)

Wayne County Treasurer  
428 W. Liberty Street  
Wooster, OH 44691  
(Regular U.S. Mail)

William Emley  
4518 Fulton Dr. NW  
P.O. Box 35548  
Canton, OH 44735  
(Regular U.S. Mail)

Lloyds TSB  
Consumer Debt Recovery  
Queens Road Quadrant  
Brighton, BN13XJ  
England  
(Regular U.S. Mail)

Lloyds TSB Card Services  
P.O. Box 13130  
Brighton BN14UZ  
England  
(Regular U.S. Mail)

Mathew M. Young  
323 W. Lakeside Ave., Ste. 200  
Cleveland, OH 44113-1099  
(Regular U.S. Mail)

National City Mortgage  
3232 Newmark Dr.  
Miamisburg, OH 45342  
(Regular U.S. Mail)

Robert Burrige  
115 W. Liberty St.  
Wooster, OH 44691  
(Regular U.S. Mail)

Savings Bank & Trust Co.  
Attn. Bankruptcy  
101 W. Market St.  
Orrville, OH 44667  
(Regular U.S. Mail)

David Dolton  
2876 Oakcrest Dr.  
Norton, OH 44203  
(Regular U.S. Mail)

Virginia Leaf  
Century 21 Reality  
1126 Brownsville Rd  
Pittsburgh, PA 15210  
(Regular U.S. Mail)

David Kennedy  
4071 S. Cleveland-Massillon Rd.  
Norton, OH 44203-9480  
(Regular U.S. Mail)



Allegheny County  
Valerie McDonald Roberts  
Recorder of Deeds  
Pittsburgh, PA 15219

Instrument Number: 2005-3677

Recorded On: February 04, 2006 As-Deed

Parties: D N S HOLDINGS L L C

To RECHTORIK TRACEY

# of Pages: 5

Comment:

**\*\*DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT\*\***

Deed 45.00

Pages > 4 0

Names > 4 0

Total: 45.00

### Roalty Transfer Stamp

Affidavit Attached-No		Stamp Num-T211720	
PITTSBURGH			
Ward-29-CARRICK			
BK/Lot-60M86	Value	45,000.00	
Commonwealth of Pennsylvania		450.00	
Munic-Pittsburgh City of		900.00	
School District-Pittsburgh		450.00	
		1,800.00	

### Deed Registry Stamp

OFFICE OF PROPERTY ASSESSMENTS		BLOCK AND LOT NUMBER	
<i>Handwritten Signature</i>		60-M-86	
Date: 1/1	- Int. By:		
2-1-2006	K2		

I hereby certify that the within and foregoing was recorded in the Recorder's Office in Allegheny County, PA

**\*\*DO NOT REMOVE-THIS PAGE IS PART OF THE RECORDED DOCUMENT\*\***

### File Information:

Document Number: 2005-3677

Receipt Number: 382496

Recorded Date/Time: February 04, 2006 01:50P

Book-Vol/Pg: BK-DE VL-12342 PG-233

User / Station: E McGuire - Cash Super 03

### Record and Return To:

SECURITY SETTLEMENT SERVICES

150 ROBBINS STATION RD

N HUNTINGDON PA 15642

**PLAINTIFF'S  
EXHIBIT**

*A*



*Handwritten Signature*

01/20/2006 10:04 AM REC'D 11/10/07

ALLEGHENY COUNTY RECORDER

DEED  
RECORDING  
FEE \$1.00RECORDING FEE \$1.00  
RECORDING FEE \$1.00

# This Deed

Made the 26th day of January in the year 2005  
Between DMS Holdings LLC, a Pennsylvania Limited Liability Company

("Grantor")

and

Tracey Rehtkorik,

("Grantee")

Witnesseth, that in consideration of payment by the Grantee to the Grantor of Forty-five thousand (\$45,000.00)

Dollars

the Grantor do hereby grant, sell and convey to the Grantee, her heirs and assigns

that certain lot, or piece of ground, situate in the 29th Ward of the City of Pittsburgh, County of Allegheny, and Commonwealth of Pennsylvania, being Lot 235, in the Grille Plan of Lots, recorded in the Recorder's Office of said County in Plan Book Volume 17, pages 74 and 75; being more fully described as follows:

BEGINNING at a point on the Northwest corner of Leelyn (formerly Lilac) Street and Appian Way (formerly Beach Alley); thence Westwardly, along Appian Way, 170 feet to Lunar Way (formerly Cherry Alley); thence Northwardly, along Lunar Way, 23.28 feet to a point, at the dividing line between Lots 235 and 236 in said plan; thence Eastwardly, by said dividing line, a distance of 166.19 feet to a point on Leelyn Street; thence Southwardly, along Leelyn Street, a distance of 25 feet to the place of beginning.

HAVING erected thereon a two-story frame house, known as 1814 Leelyn Street, Pittsburgh (Carrick), Pennsylvania.

BEING designated as Block and Lot 60-M-26 by the Office of Deed Registry of Allegheny County.

BEING also the same property that Teresa Sabol, Administratrix a.t.a.

01/25/2003 10:32 FAX 412 684 7186

KELLER WILLIAMS REALTY

2

of the Estate of Domenico Ricci, also known as Dominic Ricci, Deceased, the surviving spouse of Niccolina Ricci, by his deed dated November 15, 2002 and recorded in the Office of the Recorder of Deeds of Allegheny County in Deed Book Volume 11512, Page 490 granted and conveyed to DNS HOLDINGS LLC, a Pennsylvania limited liability company, Grantor herein.

with the appearance: **To Have and To Hold** the same to and for the use of the said Grantee(s) her heirs and assigns forever. And the Grantee(s) for itself, its successors and assigns assigns hereby consent and agree that will WARRANT\* generally the property hereby conveyed (which is hereby specially)

**NOTICE - THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR PURCHASER THE TITLE TO THE COAL AND RIGHT OF SUPPORT REPRESENTS THE SURFACE LAND INTEREST OR INTERESTS TO MINING, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO MINING ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY BUILT, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND. THE INCLUSION OF THIS NOTICE DOES NOT EXCLUDE, IMPROVE OR IMPROVE ANY LEGAL RIGHTS OR RIGHTS OF OTHERS CREATED, TRANSFERRED, ACQUIRED OR RESERVED BY THIS INSTRUMENT. (This notice is as required by Act No. 206, approved September 14, 1976, as amended.)**

In WITNESS WHEREOF, the Grantee(s) hereunto have set their hands and seals, this day and year first above written.

Witness:  
*Charles D. Byer*

DHS HOLDINGS LLC  
*Tracy A. Smith* - Seal -  
Hance A. Smith  
*Don Smith* - Seal -  
DON SMITH

### NOTICE

I/WE, THE UNDERSIGNED GRANTEE/GRAANTEES, HEREBY CERTIFY THAT I/WE KNOW AND UNDERSTAND THAT I/WE MAY NOT BE OBTAINING THE RIGHT OF PROTECTION AGAINST SUBSIDENCE RESULTING FROM COAL MINING OPERATIONS AND THAT THE PURCHASED PROPERTY MAY BE PROTECTED FROM DAMAGE DUE TO MINE SUBSIDENCE BY A PRIVATE CONTRACT WITH THE OWNERS OF THE ECONOMIC INTEREST IN THE COAL. THIS NOTICE IS INSERTED IN ACCORDANCE WITH THE PROVISIONS OF THE BITUMINOUS MINE SUBSIDENCE AND LAND CONSERVATION ACT OF 1966 AS AMENDED 1982, OCT. 10, P.L. 874, NO. 150 §1.

WITNESS:  
*Tracy Rechtorik*  
Tracy Rechtorik  
This \_\_\_\_\_ day of \_\_\_\_\_ In The Year 2005.

### CERTIFICATE OF RESIDENCE

I hereby certify that the residence of the Grantee(s) is **1814 LEOLYN STREET**  
**PILLSBURY, PA 15210**

STATE OF MICHIGAN  
County of **Allegheny**  
COUNTY OF BARRY

On this day **26th** day of **JAN** in the year **2005**, before me a Notary Public appeared **DHS HOLDINGS LLC** by **Hance A. Smith and Don Smith**

known to me (or satisfactorily proved to be the person whose name subscribed to the within instrument, and acknowledged that executed the same for the purpose therein expressed.

In WITNESS WHEREOF, I set my hand and official seal.

My Commission Expires **9/28/07**

*Kay Curry*  
Notary Public



01/25/2005 16:32 FAX 412 694 7100

KELLER WILLIAMS REALTY

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.  
On this the \_\_\_\_\_ day of \_\_\_\_\_  
before me \_\_\_\_\_ in the year \_\_\_\_\_  
appeared \_\_\_\_\_ the undersigned officer, do  
know to me (or satisfactorily proven) to be the person whose name \_\_\_\_\_  
the within instrument, and acknowledged that \_\_\_\_\_ executed the same for the purpose therein contained  
In Witness Whereof, I set my hand and official seal.  
My Commission Expires \_\_\_\_\_

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } ss.  
On this the \_\_\_\_\_ day of \_\_\_\_\_  
before me \_\_\_\_\_ in the year \_\_\_\_\_  
appeared \_\_\_\_\_ the undersigned officer, do  
know to me (or satisfactorily proven) to be the person whose name \_\_\_\_\_  
the within instrument, and acknowledged that \_\_\_\_\_ executed the same for the purpose therein contained  
In Witness Whereof, I set my hand and official seal.  
My Commission Expires \_\_\_\_\_

123456

From

ONE HOLDINGS LLC, a Pennsylvania  
limited liability  
company

To

TRACY RECTORIK

Recd. \$

Received & Return to:

Security Settlement Sics  
150 Robbins Station Road  
Pittsburgh, PA 15206